

EXHIBIT 18



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Re: *Paltalk Holdings, Inc., v. Cisco Systems, Inc.*, No. 6:21-cv-00757

Counsel;

Plaintiff bears the ultimate burden of proving that it complied with the marking statute. *See Arctic Cat Inc. v. Bombardier Recreational Prods., Inc.*, 876 F.3d 1350, 1366 (Fed. Cir. 2017). Cisco has satisfied its initial burden of production for its marking defense by identifying unmarked products that it believes to practice the asserted claims. *See* Cisco's Response to Paltalk's Interrogatory No. 13.

To be abundantly clear, as detailed in its response to Interrogatory No. 13, Cisco believes that **Microsoft Teams, Sony PCS-EP, and Blizzard Voice and Overwatch Voice Chat** products embody the claims of the '858 patent, based on Paltalk's application of the claims and assertions against Cisco. *See e.g.*, CISCO-PAL-00003161, CISCO-PAL-00003162, CISCO-PAL-00003164, CISCO-PAL-00003158, CISCO-PAL-00003159, CISCO-PAL-00003160, CISCO-PAL-00003163, CISCOPAL-00003165, CISCO-PAL-00003166.

Microsoft, Sony, and Activision are licensees of the '858 Patent. *See* PT_0000993 - 1011; PT_0000979 - 92; PT_00001012-28; *see also* Jason Katz Deposition Transcript at 150:16-22; 158:1-5. Paltalk bears the burden of proof to show that these products either do not embody the patents, or that it complied with the marking statute with regard to its licensees Microsoft, Sony, and Activision. *See Arctic Cat* at 1366; *Maxwell v. J. Baker, Inc.*, 86 F.3d 1098, 1111-12 (Fed. Cir. 1996).

Sincerely,

A handwritten signature in black ink, appearing to read "EEdlin".

Elise Edlin
Counsel

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